UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

LONNIE L. BURTON,

No. 13-CV-00392-JTR

Plaintiff,

VS.

UNITED STATES DEPARTMENT OF JUSTICE and ERIC HOLDER,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE

Magistrate Judge Rodgers filed a Report and Recommendation, ECF No. 13, recommending that Mr. Burton's request to Voluntarily Dismiss this action be granted. Defendants have not been served. There being no objections, the Court **ADOPTS** the Report and Recommendation. Plaintiff's Motion, ECF No. 11 is **GRANTED** and this complaint is **DISMISSED WITHOUT PREJUDICE.**

IT IS FURTHER ORDERED Plaintiff's Motion to waive filing fee, ECF No. 12, is **GRANTED** and the institution having custody of Mr. Burton shall cease collection of the filing fee in this action, cause number **13-CV-00392-JTR**.

ORDER DISMISSING COMPLAINT -- 1

Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff and close the file. The District Court Executive is further directed to send a copy of this Order to the Office of the Department of Corrections, Attn: LFO/COS UNIT, P.O. Box 41107, Olympia, WA 98504-1107, to forward to the appropriate agency having custody of Plaintiff. The District Court Executive also shall provide a copy of this Order to the Financial Administrator for the United States District Court, Eastern District of Washington.

DATED this 12th day of February 2014.

s/Rosanna Malouf PetersonROSANNA MALOUF PETERSONChief United States District Court Judge